

House File 2482 - Introduced

HOUSE FILE _____
BY STRUYK, WINDSCHITL, BOAL,
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WORTHAN, and DEYOE

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the enforcement of immigration laws in the
2 state, including the detention and deportation of illegal
3 aliens.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5646YH 82
6 ec/rj/5

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1 1 Section 1. MEMORANDUM OF UNDERSTANDING == ENFORCEMENT OF
1 2 FEDERAL IMMIGRATION LAW.
1 3 1. The attorney general is authorized and directed to
1 4 negotiate the terms of a memorandum of understanding between
1 5 the state of Iowa and the United States department of justice
1 6 or the United States department of homeland security
1 7 concerning the enforcement of federal immigration and custom
1 8 laws, detention removals, and investigations in the state of
1 9 Iowa. The agreement shall provide that costs incurred by the
1 10 state for the detention and deportation of an unauthorized
1 11 alien shall be reimbursed by the federal government.
1 12 2. The memorandum of understanding negotiated pursuant to
1 13 subsection 1 shall be signed on behalf of this state by the
1 14 attorney general and the governor or as otherwise required by
1 15 the appropriate federal agency but shall not be implemented
1 16 until money is appropriated for such purpose.
1 17 3. A local government, whether acting through its
1 18 governing body or by an initiative, referendum, or any other
1 19 process, shall not enact any ordinance, resolution, or policy
1 20 that limits or prohibits a law enforcement officer, local
1 21 officer, or local government employee from communicating or
1 22 cooperating with federal officials with regard to the
1 23 immigration status of any person within this state.
1 24 4. Notwithstanding any other provision of law, a
1 25 government entity or official within the state of Iowa shall
1 26 not prohibit, or in any way restrict, any government entity or
1 27 official from sending to, or receiving from, the United States
1 28 department of homeland security information regarding the
1 29 citizenship or immigration status, lawful or unlawful, of any
1 30 individual.
1 31 5. Notwithstanding any other provision of law, a person or
1 32 agency shall not prohibit, or in any way restrict, a public
1 33 employee from doing any of the following with respect to
1 34 information regarding the immigration status, lawful or
1 35 unlawful, of any individual:
2 1 a. Sending such information to, or requesting or receiving
2 2 such information from, the United States department of
2 3 homeland security.
2 4 b. Maintaining such information.
2 5 c. Exchanging such information with any other federal,
2 6 state, or local government entity.
2 7 6. Any natural or legal person lawfully domiciled in this
2 8 state may file for a writ of mandamus to compel any
2 9 noncooperating local or state governmental agency to comply
2 10 with this section.

EXPLANATION

2 11 This bill authorizes the attorney general to negotiate a
2 12 memorandum of understanding on behalf of the state with the
2 13 United States department of justice or the United States
2 14 department of homeland security concerning the enforcement of
2 15 federal immigration and custom laws, detention removals, and
2 16

2 17 investigations in the state of Iowa. The bill requires that
2 18 the agreement provide that costs incurred by the state in
2 19 detaining and deporting an unauthorized alien must be
2 20 reimbursed by the federal government.
2 21 The bill further provides that a person, including the
2 22 state and any local government, shall not restrict a public
2 23 employee from communicating or cooperating with federal
2 24 officials with regard to the immigration status of any person
2 25 within this state.
2 26 Any person may file for a writ of mandamus to compel
2 27 compliance with the bill.
2 28 LSB 5646YH 82
2 29 ec/rj/5